

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

LIBERTY MUTUAL INSURANCE COMPANY, a      No. C 03-02502 WHA  
Massachusetts Corporation,

Plaintiff,

v.

**ORDER REGARDING  
MISREPRESENTATIONS MADE  
DURING SUMMARY JUDGMENT**

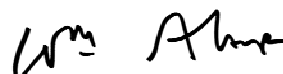
HENRY D. HOGE, an individual; DOÑA P.  
HOGE, an individual; PATRICIA HOGE  
LEWINE, an individual; MICHAEL D. LEWINE,  
an individual; HENRY D. HOGE AND DOÑA P.  
HOGE FAMILY TRUST, a trust; HOGE  
PERSONAL RESIDENCE TRUST, a trust;  
HENRY D. HOGE, a trustee; and DOÑA P. HOGE,  
a trustee,

Defendants.

The Court has not forgotten that defendants “inadvertently” proffered sworn, affirmative misrepresentations during summary judgment. The issue of whether any sanction should be imposed was deferred until after the trial. Now that a settlement has been reached, the parties are requested to submit letters, not exceeding two pages, regarding whether sanctions are appropriate by **OCTOBER 7, 2005 AT NOON**.

**IT IS SO ORDERED.**

Dated: October 3, 2005



WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE